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Letter dated 13 January 2017 from the Chargé d'affaires a.i. of the Permanent Mission of Senegal to the United Nations addressed to the President of the Security Council

I have the honour to transmit herewith the communiqué issued by the Peace and Security Council of the African Union following its six hundred and forty-seventh meeting, held on 13 January 2017, in Addis Ababa, regarding the post-election situation in the Islamic Republic of the Gambia (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Gorgui **Ciss**
Chargé d'affaires a.i.

17-00673 (E) 240117 250117

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Annex to the letter dated 13 January 2017 from the Chargé d'affaires a.i. of the Permanent Mission of Senegal to the United Nations addressed to the President of the Security Council

[Original: English and French]

Communiqué

The Peace and Security Council of the African Union, at its six hundred and forty-seventh meeting, held on 13 January 2017, adopted the following decision on the post-election situation in the Islamic Republic of the Gambia.

Council:

1. Takes note of the briefing made by the Chairperson of the Commission, Dr. Nkosazana Dlamini-Zuma, as well as the presentation made by the Commissioner for Political Affairs, Dr. Aisha Laraba Abdullahi, on the latest developments in the post-electoral situation in the Gambia, following the presidential election held in that country on 1 December 2016. Council also takes note of the statements made by the representatives of the Gambia, as well as of Liberia, in its capacity as Chair of the Authority of the Economic Community of West African States (ECOWAS), Egypt, Ethiopia and Senegal, as African members of the United Nations Security Council, and the United Nations;

2. Recalls Article 23 (4) of the African Charter on Democracy, Elections and Governance. Council further recalls communiqué PSC/PR/COMM. (DCXLIV) adopted at its six hundred and forty-fourth meeting, held on 12 December 2016, in which Council strongly rejected any attempt to circumvent or reverse the outcome of the presidential election held in the Gambia on 1 December 2016, which is a clear expression of the popular will and choice of the Gambian people, and called upon outgoing President Yahya Jammeh to keep to the letter and spirit of the speech he delivered on 2 December 2016, in which he welcomed the maturity of democracy in the Gambia and congratulated the President-elect, Adama Barrow;

3. Commends ECOWAS for its principled stand with regard to the situation in the Gambia, and reaffirms its full support to the decisions adopted at the fiftieth Ordinary Summit of the ECOWAS Authority, held in Abuja, on 17 December 2016, including the consideration to use all necessary means to ensure the respect of the will of the people of the Gambia. In this respect, Council pays tribute to the leadership and commitment demonstrated by Her Excellency President Ellen Johnson-Sirleaf, of Liberia, Chairperson of the ECOWAS Authority, as well as to His Excellency President Muhammadu Buhari of Nigeria, ECOWAS mediator, and to Former President John Dramani Mahama, of Ghana, co-mediator, for their combined efforts aimed at ensuring a peaceful and smooth transfer of power in the Gambia;

4. Calls upon, once again, the outgoing President, Yahya Jammeh, to respect the Constitution of the Gambia, the ECOWAS and African Union instruments, in particular the AU Constitutive Act and the African Charter on Democracy, Elections and Governance, by handing over power, on 19 January 2017, as stated in the Constitution, to the newly elected President of the Gambia, Adama Barrow, as decided by the people of the country;

5. Decides, in line with Articles 24 and 25 of the African Charter on Democracy, Elections and Governance, as well as article 7.1 (m) of the Protocol Relating to the Establishment of the Peace and Security Council, to take the following steps with a view to ensuring respect for the will of the Gambian people:

(a) Solemnly declares the inviolable nature of the outcome of the presidential elections held on 1 December 2016 in the Gambia. In this respect, Council strongly reaffirms the African Union's zero tolerance policy with regard to coup d'état and unconstitutional changes of government in Africa;

(b) Further declares that, as of 19 January 2017, outgoing President Yahya Jammeh will cease to be recognized by the African Union as legitimate President of the Republic of the Gambia;

(c) Warns outgoing President Yahya Jammeh of serious consequences in the event that his action causes any crisis that could lead to political disorder, humanitarian and human rights disaster, including loss of innocent lives and destruction of properties;

6. Stresses the need for the outgoing President Yahya Jammeh and his Government to refrain from any action that could undermine the process leading up to the swearing in of the President-elect, on 19 January 2017. Reiterates its call to the Gambian stakeholders, including the defence and security forces, to exercise utmost restraint and to strictly abide by the Constitution and uphold the rule of law, including the respect for the freedom of speech. Council stresses the duty and obligation of the defence and security forces to place themselves at the disposal of the democratically elected authorities of their country;

7. Further stresses the importance of a common and unequivocal message and continued coordination of efforts within the international community, in support to ECOWAS endeavours in the Gambia;

8 Expresses its appreciation to the Chairperson of the Union, as well as to the Chairperson of the Commission, for their initiatives and efforts aimed at supporting those of ECOWAS and countries of the region to urgently find a way for a speedy and peaceful transfer of power in the Gambia;

9. Looks forward with keen interest to the outcome of the visit to the Gambia, today, 13 January 2017, by the ECOWAS Mediation, with the participation of the African Union and the United Nations;

10. Agrees to meet, as soon as possible, to assess the post-electoral situation in the Gambia and take appropriate decisions as may be deemed necessary;

11. Decides to remain actively seized of the matter.